



California Environmental Protection Agency Department of Toxic Substances Control



Fact Sheet

Universal Waste Rule: Emergency Regulations

3/7/00

The Department of Toxic Substances Control (DTSC) developed this fact sheet to provide information and guidance on new regulations addressing “universal wastes”. These regulations were adopted in March, 2000, on an emergency basis. They will remain effective on an interim basis until the permanent regulations for universal wastes are completed.

Purpose of this Fact Sheet

This fact sheet will familiarize the reader with the concept of “universal waste” and the regulatory requirements applicable to each type of universal waste handler. It is not intended to replace the universal waste regulations. All handlers of universal waste must obtain a copy of the hazardous waste control statutes and regulations including the universal waste regulations and comply with the detailed standards applicable to their activities. Legal citations found in parentheses refer to Title 22, California Code of Regulations (CCR), division 4.5, unless specified otherwise.

I. What has happened?

DTSC has adopted emergency regulations designating several commonly used materials as “universal wastes” when they are disposed. The emergency regulations are found in Title 22, CCR, Division 4.5. The emergency regulations:

Create new section 66261.9. This section conditionally exempts universal wastes from classification as hazardous wastes provided that they are managed in compliance with the special standards for universal wastes.

Add new definitions specific to universal wastes to new section 66273.9

Create permit exemptions for intermediate accumulation points for universal wastes in sections 66264.1, 66265.1, and 66270.1.

Exempt universal wastes from many of the land disposal restrictions in section

66268.1.

Create new chapter 23 which contains the special rules for managing universal wastes.

II. What are “universal wastes”?

A. How are wastes designated as universal wastes?

Universal wastes are hazardous wastes that are generated by a wide variety of people rather than the industrial businesses which primarily generate other hazardous wastes. The federal government has designated wastes as “universal wastes” in regulations adopted by the United States Environmental Protection Agency (U.S. EPA). In the State of California, wastes became universal wastes when DTSC added them to the State's regulations as a “universal waste.” The criteria used to identify universal wastes are:

1. The waste material is usually a hazardous waste. If the waste is not a hazardous waste, it is also not a universal waste.
2. The waste is not generated by one or a few specific industries. It is generated by a wide variety of businesses and even private persons.
3. The waste is generated in relatively small quantities by any one generator.
4. Collection and management systems for the waste ensure safe management and disposal.
5. The waste poses a relatively low risk during generation, accumulation, and transportation.
6. Regulation of the waste as a universal waste will increase the likelihood that the waste will be diverted from the non-hazardous municipal solid waste stream (garbage).
7. Regulation of the waste as a universal waste will increase compliance with the hazardous waste regulatory program.

B. What wastes has DTSC designated as universal wastes?

In the recent emergency regulations, DTSC designated the following wastes as universal

wastes:

1. Hazardous waste thermostats: These are thermostats that contain small glass capsules of mercury, a shiny liquid metal, to make electrical contact. Not all thermostats are universal waste. Modern, fully electronic, thermostats that do not contain mercury are not universal wastes.
2. Hazardous waste batteries: Virtually all batteries that exhibit a characteristic of a hazardous waste including rechargeable nickel-cadmium batteries, silver button batteries, mercury batteries, small sealed lead acid batteries (burglar alarm and emergency light batteries), most alkaline batteries, carbon-zinc batteries which also exhibit the characteristic of corrosivity, and any other batteries which exhibit a characteristic of a hazardous waste (title 22, CCR, section 66261.20 through 66261.24). However, spent lead acid storage batteries of the automotive type are not universal waste. They are regulated under Title 22, CCR, division 4.5, chapter 16, article 7.
3. Hazardous waste lamps: Lighting wastes which exhibit a characteristic of a hazardous waste. Not all lamps exhibit a characteristic of a hazardous waste. For instance, incandescent light bulbs would not be expected to exhibit a characteristic of a hazardous waste. Universal waste lamps include most (but not all) fluorescent tubes, high intensity discharge lamps, high pressure sodium lamps, and any other lamps which exhibit a characteristic of a hazardous waste.

C. Why are these wastes regulated?

All the these wastes are regulated because their chemical properties identify them as hazardous wastes. Most universal wastes are hazardous wastes due to their mercury content. Mercury is a shiny silver metal and is the only metal which is a liquid at room temperature. It is a very toxic material, can cause developmental problems in children, and is a potential human carcinogen (causes cancer). Other universal wastes can be hazardous due to other chemicals. For instance, many batteries are hazardous due to their nickel, cadmium, silver, acid, and/or alkali content.

III. Who is affected by these regulations?

A. Households

The emergency regulations exempt households from the requirement to handle universal wastes according to the new regulations (or as hazardous waste) (section 66273.8.) For

these emergency regulations, households are defined as follows:

“Household” means a private residence. “Household” does not mean a hotel, motel, bunkhouse, ranger station, crew quarters, campground, picnic ground, or day-use recreation facility.”

Note that all household universal wastes must be disposed in a solid waste or hazardous waste landfill or recycling center. Householders may dispose of universal wastes in their household trash, but may not bury or dump wastes in any location which is not a landfill.

B. Conditionally Exempt Small Quantity Universal Waste Generators

The emergency regulations also exempt businesses which qualify as “*conditionally exempt small quantity universal waste generators*” from the requirement to handle universal wastes according to the new regulations (or as hazardous waste) (section 66273.8.) For these emergency regulations, conditionally exempt small quantity universal waste generators are those generators whose total generation of hazardous waste does not exceed more than 100 kilograms (220 pounds) in any calendar month. All hazardous wastes must be included in the calculation of total hazardous waste generation. You must include, for instance:

Automotive wastes such as: Used oil and used oil filters

Industrial wastes such as: Waste solvents, paints, hazardous waste inks, acids and alkalis, plating and etching solutions, etc.

All universal wastes: Hazardous waste batteries, thermostats, and lighting wastes

Note that all universal wastes must be disposed in a solid waste or hazardous waste landfill or recycling center. Conditionally exempt small quantity universal waste generators may dispose of universal wastes in their non-hazardous trash, but may not bury or dump wastes in any location which is not a landfill.

C. Small quantity handlers of universal waste

Small quantity handlers of universal waste are those businesses that do not accumulate more than 5,000 kilograms (11,000 pounds or 5 1/2 tons) of total universal wastes (thermostats plus batteries plus lamps) at any one time. (The definition is found in section 66273.9) Most businesses will be small quantity handlers of universal waste under the emergency regulations. Many businesses will choose to manage their universal wastes in

a way that ensures that they never exceed this 5,000 kilogram limit. By limiting the amount held on site, they do not become large quantity handlers of universal waste, thus avoiding many regulatory requirements.

Small quantity handlers of universal waste include not only businesses which generate universal wastes, they also include other businesses which collect and accumulate universal wastes from the original generator as long as they do not treat or dispose of universal waste and do not accumulate more than the 5,000 kilograms of universal waste at any one time. This is a very important provision. It allows businesses, government agencies, and other persons to establish central collection sites for their universal wastes without having to obtain a hazardous waste facilities permit for the offsite collection site. This makes the following practices (among others) legal:

A business with many branch offices designates one branch as a collection site. All the other locations ship their fluorescent tubes, batteries, and other universal wastes to that site. Then, the collection site ships a large load to a destination facility (see below) at a lower price.

A manufacturer of products that become universal waste when disposed sets up a "take back" program. The stores that sell the product also accept the old (waste) product when they sell a new product, in a manner similar to the way that car parts stores accept old starters, water pumps, etc. The stores then send the collected waste products (universal wastes) to a central location run by the manufacturer, or a business that the manufacturer contracts with, for accumulation and ultimate transportation to a destination facility.

D. Large quantity handlers of universal waste

Large quantity handlers of universal waste are those generators and accumulation points which hold 5,000 kilograms (11,000 pounds) or more of total universal waste (thermostats plus batteries plus lamps) at any one time. A person (business, agency, etc) remains a large quantity handler of universal waste for the remainder of any calendar year that they become a large quantity handler of universal waste. Thus, a business whose accumulation of universal waste exceeds 5,000 kilograms of universal waste in September remains a large quantity handler of universal waste until January 1 of the next year, even if all the universal waste is shipped offsite the day after they become a large quantity handler of universal waste. That business must comply with the rules for large quantity handler of universal waste for the rest of that calendar year.

E. Universal Waste Transfer facilities:

Universal waste transfer facilities are locations where universal waste is held during the course of transportation for no more than 10 days in areas zoned “industrial” or no more than 6 days in areas with any other zoning. Transfer facilities are usually places where trucks and trailers are parked waiting to be driven to the next destination.

F. Universal Waste Destination Facilities:

Universal waste destination facilities are those locations where universal waste is treated, recycled, or disposed. Destination facilities include hazardous waste landfills, hazardous waste recycling facilities, and hazardous waste treatment facilities. Destination facilities do not include non-hazardous waste (garbage) landfills or non-hazardous waste recycling facilities (material recovery facilities).

The destination facility is the most regulated of all the businesses dealing with universal wastes. The destination facility must obtain a “hazardous waste facilities permit” to treat, recycle, or dispose of universal waste.

IV. How do these regulations affect us?

In plain terms, these regulations apply to you if you generate, accumulate, or transport universal wastes that are not generated as a part of your household and if you are not a conditionally exempt small quantity universal waste generator. You must comply with these regulations for all universal wastes that are generated as part of a business, government agency, non-profit organization, religious establishment, school, or other non-household activity. You need not comply with these regulations for universal wastes generated as part of your household or if you are a conditionally exempt small quantity universal waste generator.

These regulations set standards that you must follow for storing universal wastes before shipping. They tell you how to label them, prepare them for shipping, transport them (if you transport them yourself), and where the universal wastes can be sent.

If you treat, recycle, or dispose of universal wastes that are not generated by households, you are subject to these regulations and, in addition, to the hazardous waste facility permit regulations of Title 22, CCR, division 4.5, chapter 14 or 15 and chapter 20 along with all applicable statutes from chapter 6.5 of the California Health and Safety Code.

V. What are the rules for small quantity handlers of universal waste?

The rules for small quantity handlers of universal waste are found in Title 22, CCR, division 4.5, chapter 23. The begin with section 66273.10 and go through section 66273.20. A summary of the requirements is found below. However, small quantity handlers of universal waste are required to comply with the regulations, not with this short summary.

A. Prohibitions:

The small quantity handler of universal waste may not dispose of universal waste. The small quantity handler of universal waste may not treat universal waste except for cleaning up releases, removing mercury containing ampules from thermostats, and removing electrolyte from batteries (section 66273.11).

B. Accumulation:

A small quantity handler of universal waste may accumulate less than 5,000 kilograms of universal waste at any one time. A small quantity handler of universal waste is not required to notify the U.S. EPA or DTSC; thus, a small quantity handler of universal waste is not required to obtain a hazardous waste Identification number. A small quantity handler may accumulate and store universal waste for up to one year after the small quantity handler of universal waste generates or receives the waste. In some cases, more time is allowed (section 66273.15). If you feel that you need more time, contact your Certified Unified Program Agency (CUPA) well before your oldest universal waste reaches one year.

A small quantity handler of universal waste must label universal wastes with the date that they are generated (section 66273.14). This date is the date that (1) the small quantity handler of universal waste accepts the universal waste or (2) that a universal waste is discarded after being "used up" or (3) when the generator decides to discard the universal waste). The regulations contain several options for labeling. The intent is that emergency response personnel and inspectors can identify the universal waste and that an inspector can determine from the label if all universal wastes are being shipped offsite within the one year (or other) time period.

A small quantity handler of universal waste may carry out limited treatment activities. These activities are described in section 66273.13.

A small quantity handler of universal waste must clean up any releases such as leaking batteries or broken fluorescent tubes and manage the clean up wastes as hazardous

wastes if they are identified as hazardous waste under the law (sections 66273.13 and 66273.17).

A small quantity handler of universal waste must train employees in proper management of universal waste. This training must cover how to properly handle, package, store, and label the universal waste as well as how to respond to releases (section 66273.16). However, this training may be accomplished by such simple methods as giving employees written instructions or posting these instructions in the universal waste management areas of the building.

C. Pre-transportation:

A small quantity handler of universal waste must determine if their universal waste is a hazardous material under the United States Department of Transportation (U.S. DOT) rules and, if the universal waste is a U.S. DOT hazardous material, properly mark the packaging and placard the transportation vehicle. The applicable U.S. DOT regulations are found in Title 49 CFR Parts 171 through 180 (section 66273.18).

A small quantity handler of universal waste must prepare proper shipping papers. These papers may be a bill of lading. A Uniform Hazardous Waste Manifest is not needed for universal waste shipments.

D. Transportation:

A small quantity handler of universal waste may self-transport universal waste (use their own vehicle) or may use any common carrier allowed by U.S. DOT and California law to transport non-hazardous waste. A registered hazardous waste hauler is not required for transportation of universal waste.

The universal waste must be shipped to another small quantity handler of universal waste, a large quantity handler of universal waste, a universal waste transfer station, or a destination facility. When shipping or receiving universal waste, specific rules apply for accepting shipments containing hazardous wastes which are not universal wastes and shipments which are rejected (section 66273.18).

A small quantity handler of universal waste is not required to track or keep records of shipments of universal waste (section 66273.19).

A small quantity handler of universal waste sending universal waste outside the country must comply with regulations addressing export of universal waste (section 66273.20).

VI. What are the rules for large quantity handlers of universal waste?

The rules for large quantity handlers of universal waste are found in Title 22, CCR, division 4.5, chapter 23. They begin with section 66273.30 and go through section 66273.40. A summary of the requirements is found below. However, large quantity handlers of universal waste are required to comply with the regulations, not with this short summary.

A. Prohibitions:

The large quantity handler of universal waste may not dispose of universal waste. The large quantity handler of universal waste may not treat universal waste except for cleaning up releases, removing mercury containing ampules from thermostats, and removing electrolyte from batteries (section 66273.31).

B. Notification:

A large quantity handler of universal waste may accumulate any amount of universal waste at any one time. A large quantity handler of universal waste is required to notify the U.S. EPA and obtain a hazardous waste Identification number before the total amount of universal waste onsite exceeds 5,000 kilograms.

To notify the U.S. EPA, call (415) 495-8895. An ID number can be issued over the telephone.

The large quantity handler of universal waste remains a large quantity handler of universal waste until the end of any calendar year in which the person is a large quantity handler of universal waste.

C. Waste Management:

A large quantity handler of universal waste may carryout limited treatment activities. These activities are described in section 66273.33.

D. Labeling and Marking:

A large quantity handler of universal waste must label universal wastes with the date that they are generated (section 66273.34). This date is the date that the large quantity handler of universal waste accepts the universal waste or that a universal waste is discarded after being "used up" or after the generator decides to discard the universal waste). The

regulations contain several options for labeling. The intent is that emergency response personnel and inspectors can identify the universal waste and that an inspector can determine from the label if all universal wastes are being shipped offsite within the one year (or other) time period.

E. Accumulation Time Limits:

A large quantity handler may accumulate and store universal waste for up to one year after the large quantity handler of universal waste generates or receives the waste. In some cases, more time is allowed (section 66273.35). If you feel that you need more time, contact your Certified Unified Program Agency (CUPA) well before your oldest universal waste reaches one year.

F. Employee Training:

A large quantity handler of universal waste must train employees in proper management of universal waste (section 66273.36). This training must cover how to properly handle, package, store, and label the universal waste as well as how to respond to releases. This training must be accomplished in a manner which "ensures" that the employees have been properly trained. To ensure proper training, the employer must formally train the employee and maintain records to demonstrate that the employees were trained.

G. Response to Releases:

A large quantity handler of universal waste must clean up any releases such as leaking batteries or broken fluorescent tubes and manage the clean up wastes as hazardous wastes if they are identified as hazardous waste under the law (sections 66273.33 and 66273.37).

H. Offsite Shipments:

Universal waste must only be shipped to another universal waste handler, an authorized hazardous waste disposal site, or an authorized hazardous waste recycler. The handler shipping universal waste must comply with the applicable United States Department of Transportation regulations (Title 49 CFR, Parts 171 to 180).

The large quantity handler of universal waste is responsible for arranging for delivery to a destination facility or for another universal waste handler to receive the universal waste and must take back rejected shipments or arrange to send them to another appropriate destination.

If a large quantity handler of universal waste receives hazardous waste with a shipment of universal waste, the handler must inform DTSC of the shipment giving the Department specified information (section 66273.38).

I. Tracking Universal Waste Shipments:

A large quantity handler of universal waste must keep records of shipments both received and shipped offsite. These records must contain specified information and must be retained for a least three years (section 66274.39).

J. Exports:

A large quantity handler of universal waste sending universal waste outside the country must comply with regulations addressing export of universal waste (section 66273.40).

VII. What are the rules for transporters of universal waste?

Universal waste need not be transported by a registered hazardous waste transporter. It may be transported by a common carrier or it may be self-transported. Additionally, universal waste may be transported using a bill of lading; a uniform hazardous waste manifest is not required.

A. Prohibitions:

A transporter of universal waste may not dispose of universal waste and may not dilute or treat universal waste, except in the case of responding to a release.

B. Waste Management:

The transporter must use the proper U.S. DOT shipping name in shipping. The words "hazardous waste" may not be used to describe universal waste. (Section 66273.52)

C. Storage Time Limits:

A transporter of universal waste may store universal waste for only six days in any location not zoned "industrial". The time limit is ten days in industrial areas.

D. Response to Releases:

The universal waste transporter must immediately contain and clean up any release of

universal waste. If the cleaned up material is a hazardous waste, it must be managed as a hazardous waste (section 66273.54)

E. Offsite Shipments:

A transporter is prohibited from taking universal waste anywhere except an authorized hazardous waste facility or a handler of universal waste. If the universal waste is a U.S. DOT hazardous material (Title 49, CFR, section 171.8), the universal waste transporter must properly describe the waste on the shipping paper required by Title 49, CFR, Part 172 (section 66273.55).

F. Exports:

A transporter of universal waste sending universal waste outside the country must comply with regulations addressing export of universal waste (section 66273.56).

VIII. What are the Rules for universal waste Destination Facilities?

A. Authorization:

Destination facilities must be authorized as hazardous waste facilities. They must follow the standards of the hazardous waste permit program. (Section 66273.60)

B. Offsite shipments:

A destination facility may only ship universal waste to a universal waste handler, another destination facility, or a foreign destination. If the destination facility rejects all or part of a shipment of universal waste, it must reach agreement to send the universal waste back to the shipper or to another destination facility. If a universal waste shipment contains hazardous waste, the destination facility must notify DTSC. (Section 66273.61)

C. Tracking Universal Waste:

The destination facility must keep a record of each shipment of universal waste. The record must contain specified information and must be retained for at least three years. (Section 66273.62).

IX. What are the rules for importing universal waste?

An importer of universal waste must follow the appropriate rules for a small quantity handler

of universal waste, a large quantity handler of universal waste, a transporter of universal waste, or a destination facility, as appropriate to the business. If the universal waste is imported from an OCED country, it is subject to the standards of Title 22, CCR, division 4.5, chapter 12, article 8. (Section 66273.70).

X. Where can I send my universal wastes?

A. Household universal waste:

Householders may dispose of universal waste in the non-hazardous municipal solid waste (trash, garbage). However, they may also choose to dispose in an environmentally friendly manner by transporting the universal waste to a household hazardous waste collection agency or by self-transporting the universal waste to an authorized recycler of universal waste.

B. Conditionally exempt small quantity universal waste generator waste:

Conditionally exempt small quantity universal waste generators may dispose of universal waste in the non-hazardous municipal solid waste (trash, garbage). However, they may also choose to dispose in an environmentally friendly manner by transporting the universal waste to an authorized recycler of universal waste.

C. Intermediate accumulation points:

Universal waste may be sent to any number of intermediate locations before going to a destination facility. This allows the following management strategies along with many others:

- A business with multiple locations uses one central location as a site for consolidating their universal waste before shipping it to another handler of universal waste or a destination facility.
- A business operates a commercial accumulation point for other businesses to send their universal wastes before they are shipped en mass to a destination facility.
- A destination facility operates intermediate accumulation points which collect larger loads of universal waste before they are shipped to the destination facility.
- A government agency (for example, a school district) operates intermediate accumulation points to collect universal waste from all their locations. In the case of

a school district, for example, an intermediate accumulation point can collect larger quantities of universal waste from a district's schools and accumulate it at a location where children are not present.

D. Treatment and Recycling facilities:

These facilities either render universal waste non-hazardous by treatment or recycle the universal waste. Recyclers of universal waste are the best environmental endpoint because they remove the toxics from the environment by recycling them and all the other components of universal waste. For instance, when fluorescent lighting tubes are recycled, the glass, aluminum endcaps, tungsten filaments, phosphor powders, and the mercury are all separately recovered and sold to make new products. Little material is wasted and little goes into landfills.

Treatment and recycling facilities must be authorized by DTSC or the State in which they are located to receive hazardous waste. To inquire about the status of California destination facilities, contact the appropriate duty officer in "How do I contact DTSC for more help?" below.

E. Disposal facilities:

Universal waste may be sent to an authorized hazardous waste disposal site. These sites are specially constructed and located to allow safe disposal of hazardous wastes. To inquire about the status of California disposal facilities, contact the appropriate duty officer in "How do I contact DTSC for more help?" below.

VIII. How do I label and package universal wastes?

A. Labeling:

Each battery, lamp, or thermostat or each container of universal waste must be labeled must be labeled as follows:

Batteries: "Universal waste -- Battery(ies)", or "Waste Battery(ies)", or "Used battery(ies)"

Thermostats: "Universal waste -- mercury thermostat(s)", or "Waste mercury thermostat(s)", or "Used mercury thermostat(s)"

Lamps: "Universal waste--lamp(s)", or "Waste lamp(s)", or "Used lamp(s)"

In addition, each individual universal waste, each individual container of universal waste, or the universal waste accumulation area must be marked with the accumulation start date for that universal waste or all the universal waste in the area.

B. Packaging universal waste:

In general, universal wastes must be stored in a manner which prevents release; however, there are no stated storage packaging requirements for intact universal wastes. When transported, universal wastes which are identified as U.S. DOT hazardous materials (49 CFR Parts 171 through 180) must be packaged according to the standards of 49 CFR parts 172 to 180.

There are packaging requirements for damaged universal wastes and ampules removed from thermostats:

- Damaged universal wastes: Damaged universal wastes include broken lamps, broken or leaking batteries, and broken ampules. These universal wastes must be contained in a closed container, compatible with the universal waste, that prevents any release or leakage.
- Removed ampules: Ampules of mercury removed from thermostats must be stored in closed, non-leaking containers in good condition and packed with materials adequate to prevent breakage of ampules in normal handling.
- Released mercury and battery electrolyte: These materials must be managed as hazardous wastes and must be stored in containers meeting the requirements of section 66262.34.

IX. How must universal wastes be transported?

Universal wastes may be transported by any common carrier or by the generator of the universal wastes. They may be transported using a standard bill of lading rather than a uniform hazardous waste manifest. The following rules apply to universal waste transportation:

- A universal waste transporter may not dispose of universal waste and may not treat or dilute universal waste (other than in responding to releases) (sections 66273.51 and 66273.55).
- All universal wastes must be packaged, labeled, and placarded according to the

applicable U.S. DOT shipping rules if they are identified as U.S. DOT hazardous materials (49 CFR Parts 171 through 180). Note that universal wastes are not considered hazardous wastes under the U.S. DOT rules (sections 66273.52 and 66273.55).

- Universal waste transporters must immediately cleanup any releases of universal waste and manage the cleanup materials as hazardous waste, if indeed they are hazardous waste (section 66263.54).
- Universal waste transporters exporting universal waste must comply with specified export rules (section 66273.56).

X. What can I do to help my customers manage their universal wastes?

The streamlined rules for managing universal waste are intended to offer businesses flexibility to set up programs to aid their customers with management of their universal wastes. Some suggestions follow:

A. Takeback programs:

A business selling, for instance, fluorescent tubes can accept old tubes for recycling when selling new tubes. Even though the business is not the generator of the tubes, it can become a small quantity handler of universal waste and follow simple rules.

B. Contracted management:

A business can contract with another business to manage customers universal wastes. For instance, the major manufacturers of thermostats have formed the "Thermostat Recycling Corporation of America" to handle customers' thermostats.

C. Informing your customers:

At a minimum, businesses can make printed information summarizing the rules for management of universal wastes available to their customers. This factsheet can be distributed when selling materials which, when spent, can become universal waste.

XI. What will happen next with these regulations?

These regulations have been adopted as emergency regulations to implement statutes passed by the Legislature and signed by the governor. Adoption of permanent regulations requires a formal process with participation by the public and review by the State's Office of Administrative Law (OAL).

A. Emergency versus permanent regulations:

These regulations were adopted on an emergency basis. They were adopted without public review and comment. As emergency regulations, they are in effect for only a short period of time and must be replaced by permanent regulations which have been subject to public review and comment. The initial adoption of emergency regulations gives DTSC 120 days to complete the permanent regulations which must supplant the emergency. DTSC also expects to readopt the emergency regulations for (at least) a second 120 day effective period before the permanent regulations are complete.

B. The regulation adoption process - your opportunity to participate:

DTSC is proposing permanent regulations to replace these emergency regulations. Prior to the adoption of these emergency regulations, four informal workshops were held in locations around the State to gather pre-regulatory comments.

The first step in adopting permanent regulations will be the publication a notice of "proposed regulations" in the California Regulatory Register. The publication begins a formal 45 day public comment period and must be followed by a public hearing to collect oral comments. Written comments may be submitted at any point during the public comment period.

To receive notice of all DTSC's regulatory proposals, please request to be placed on DTSC's "AllRegs" list.

Phone: (916) 324-9933

E-mail: jferber@dtsc.ca.gov

After public comment is received, DTSC considers the comments received and develops formal responses to each comment (placed in the "rulemaking file", not sent out to each commenter). If the comments lead DTSC to change the regulations, all the changes must be made available for 15 days of additional public comment focusing on the changes to

the regulations.

After all the public comments are complete, DTSC submits the rulemaking file to the Office of Administrative Law for review. The regulations are reviewed for clarity, necessity, non-duplication, consistency with other State and federal laws, and for adequate statutory authority and reference. If the rules are approved, they become effective 30 days after such approval.

C. Projected schedule

DTSC expects to make the proposed regulations available for public review and comment during the Winter/Spring of 2000. If no further changes are necessary after the public review and comment period, the regulations will be submitted to the Office of Administrative Law in late spring and should be effective in early summer. Changes after the first public review and comment period will delay the effective date of the regulations by at least two months.

D. What may change?

The regulatory standards adopted in this emergency regulation closely resemble the standards of the Federal Universal Waste Rule because DTSC adopted these rules by emergency without public review and comment. The permanent regulations will be subject to public review and comment and may contain some standards different from those of the Federal Universal Waste Rule. Some possible differences are:

1. Some of the rules for the small quantity handler of universal waste may be eliminated in favor of the rules for large quantity handlers of universal waste.
2. The household exemption may be removed or phased out as household hazardous waste collection agencies develop universal waste management strategies.
3. The conditionally exempt small quantity universal waste generator exemption may be phased out.
4. Recycling (rather than hazardous waste disposal) may be required for some types of universal waste.
5. Additional wastestreams may be added as universal wastes such as cathode ray tubes (picture tubes from TVs and computer monitors).

XII. How do I contact DTSC for more help?

For further information about the universal waste rules or the general hazardous waste rules, please contact DTSC's regional duty officers:

Sacramento Office: Noel Lavery, (916) 255-3617

Bay Area Office: James Stettler, (510) 540-3739

Glendale Office: Andre Amy, (818) 551-2830

Cypress Office: Suwan Sonkprasha, (714) 484-5400